



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

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In re Application of:

John C. Harvey and James W. Cuddihy:

Group Art Unit: 2699

Serial No.: 08/486,258

Examiner: Luther, W.

Filed: June 7, 1995

Atty Dkt: 05634.0357

For: **SIGNAL PROCESSING APPARATUS
AND METHODS**

TRANSMITTAL LETTER

BOX: Fee Amendment

Assistant Commissioner of Patents
Washington, D.C. 20231

Applicants include in this communication:

- [X] Information Disclosure Statement;
- [X] PTO Form 1449;
- [X] Check No. 3493 for \$180.00;
- [X] Appendices A-E;
- [X] The Commissioner is hereby authorized to charge any additional fees, or credit any overpayment to Deposit Account No. 50-0206.
 - [x] Any filing fees under 37 CFR 1.16 for the presentation of extra claims.
 - [x] Any patent application processing fees under 37 CFR 1.17.

Date: May 11, 2001
HUNTON & WILLIAMS
1900 K Street, NW,
12th Floor
Washington, D.C. 20006

Respectfully submitted,

Thomas J. Scott, Jr.
Registration No. 27,836
Donald J. Lecher
Registration No. 41,933
Attorneys for Applicants
Tel: (202) 955-1938



Serial No. 08/486,258
Docket No. 5634.0357

#29
6-9-01
WP

PATENT

THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

John C. Harvey and James W. Cuddihy:

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Information Disclosure Statement

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98.

Where the publication date of a listed document does not provide a month of publication, the year of publication of the listed document is sufficiently earlier than the effective U.S. filing date and any foreign priority date so that the month of publication is not in issue. Applicants have listed publication dates on the attached PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated.

Applicants reserve the right to establish the patentability of the claimed invention over any of the information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

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ALL REFERENCES CONSIDERED, EXCEPT WHERE LINED THROUGH. /BL/

This statement should not be construed as a representation that a search has been made, or that information more material to the examination of the present patent application does not exist. The Examiner is specifically requested not to rely solely on the material submitted herewith. It is further understood that the Examiner will consider information that had been cited by or submitted to the U.S. Patent and Trademark Office in a prior application relied on under 35 U.S.C. § 120. 1138 OG 37, 38 (May 19, 1992).

Applicants have checked the appropriate boxes below.

- ☐ 1. This Information Disclosure Statement is being filed within three months of the U.S. filing date OR before the mailing date of a first Office Action on the merits. No statement under 37 C.F.R. § 1.97(e) or fee is required. 37 C.F.R. § 1.97(b).
- ☒ 2. This Information Disclosure Statement is being filed more than three months after the U.S. filing date AND after the mailing date of the first Office Action on the merits, but before the mailing date of a Final Rejection or Notice of Allowance. 37 C.F.R. § 1.97(c).
 - ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
 - ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
 - ☒ c. Attached is our Check No. 3493 in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(p).

- ☐ 3. This Information Disclosure Statement is being filed more than three months after the U.S. filing date and after the mailing date of a Final Rejection or Notice of Allowance, but before payment of the Issue Fee. It is hereby requested that the Information Disclosure Statement be considered. Attached is our Check No. 3493 in the amount of \$180.00 in payment of the fee under 37 C.F.R. § 1.17(i). 37 C.F.R. § 1.97(d).
- ☐ a. I hereby state that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(1).
- ☐ b. I hereby state that no item of information in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to my knowledge after making reasonable inquiry, no item of information contained in this Information Disclosure Statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months prior to the filing of this Information Disclosure Statement. 37 C.F.R. § 1.97(e)(2).
- ☐ c. An accompanying petition requesting consideration of this Information Disclosure Statement and the petition fee set forth in 37 C.F.R. § 1.17(i) are included with this communication. 37 C.F.R. § 1.97(d)(2) & (3).
- ☐ 4. Relevance of the non-English language document(s) is discussed in the present specification. 37 C.F.R. § 1.98(a)(3).
- ☒ 5. A concise explanation of the relevance of the non-English language document(s) appears below in Appendix A. 37 C.F.R. § 1.98(a)(3).
- ☒ 6. Some documents were cited in corresponding foreign applications.
- ☒ 7. The Examiner's attention is directed to Applicants' co-pending U.S. Patent Applications that are directed to related technical subject matter. The identification of this U.S. Patent Application is not to be construed as a waiver of secrecy as to that application now or upon issuance of the present application as a patent. The Examiner is respectfully requested to consider the cited application

and the art cited therein during examination. 37 C.F.R. § 1.98(d). Attached hereto is Appendix B listing Applicants' related applications, and Appendix C that lists the prior art previously cited by the PTO in those applications.

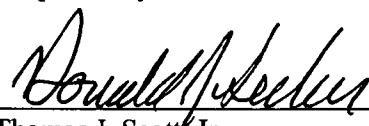
- [X] 1. Copies of the documents were cited by or submitted to the Office in Applicants' Applications listed in Appendix D which are relied upon for an earlier filing date under 35 U.S.C. § 120. Thus, copies of these documents are not attached. 37 C.F.R. § 1.98(d). Applicants submit Appendix E which contains a list of all references not hereto previously cited in the instant application.

It is respectfully requested that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

A single set of copied references required by 37 C.F.R. § 1.98(a) have been submitted in conjunction with this communication in Applicant's application number 08/113,329 in compliance with the PTO's instructions in the First Office Action of the above referenced application.

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 50-0206.

Respectfully submitted,



Thomas J. Scott, Jr.
Registration No. 27,836
Donald J. Lecher
Registration No. 41,933
Attorneys for Applicants
Tel: (202) 955-1938

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Serial No. 08/486,258
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INFORMATION DISCLOSURE
STATEMENT BY APPLICANT

CITATION FORM

Attorney Docket No.

05634.0357

Serial No.

08/486,258

Applicant(s)

John C. Harvey and James W. Cuddihy

Filing Date

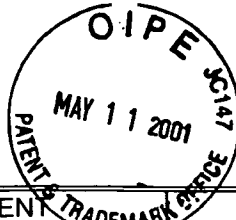
June 7, 1995

Group Art Unit

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UNITED STATES PATENT DOCUMENTS

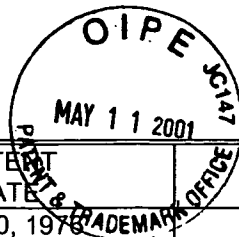
| EXAMINER INITIAL | PATENT NUMBER | PATENT DATE | NAME | CLASS/ SUBCLASS | FILING DATE* |
|---------------------|------------------|--------------------|------------------|--------------------|--------------------|
| | 1,927,702 | September 19, 1933 | Foss | 705/36 | December 3, 1932 |
| | 2,511,085 | June 13, 1950 | Smith | 381/104 | November 15, 1946 |
| | 2,573,349 | October 30, 1951 | Miller et al. | 725/14 | December 9, 1949 |
| | 2,769,023 | October 30, 1956 | Loew et al. | 725/143 | January 19, 1950 |
| | 2,788,387 | April 9, 1957 | Druz | 380/320 | October 2, 1951 |
| | 2,864,865 | December 16, 1958 | Morris | 568/430 | May 4, 1955 |
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| | 3,008,000 | November 7, 1961 | Morchand | 725/138 | September 11, 1958 |
| | 3,016,091 | January 9, 1962 | Daniele | 162/391 | August 11, 1960 |
| | 3,071,642 | January 1, 1963 | Mountjoy et al. | 725/151 | February 21, 1957 |
| | 3,213,201 | October 19, 1965 | Flood et al. | 370/381 | July 2, 1962 |
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| | 3,244,806 | April 5, 1966 | Morris | 725/151 | January 30, 1962 |
| | 3,363,250 | January 9, 1968 | Jacobson | 340/825.17 | July 20, 1965 |
| | 3,371,071 | February 27, 1968 | Webb | 428/355EN | January 18, 1965 |
| | 3,387,268 | June 4, 1968 | Epstein | 340/825.26 | September 9, 1963 |
| | 3,531,583 | September 29, 1970 | Walker | 380/230 | July 28, 1966 |
| | 3,531,586 | September 29, 1970 | Bass et al. | 725/151 | April 19, 1965 |
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| | 3,573,747 | April 6, 1971 | Adams et al. | 705/37 | February 24, 1969 |
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| | 3,601,528 | August 24, 1971 | McVoy | 724/143 | June 16, 1969 |
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| | 3,609,697 | September 28, 1971 | Blevins et al. | 717/2 | October 21, 1968 |
| | 3,627,914 | December 14, 1971 | Davies | 348/722 | September 4, 1969 |
| | 3,648,270 | March 7, 1972 | Metz et al. | 345/24 | August 11, 1969 |
| | 3,657,699 | April 18, 1972 | Rocher et al. | 380/265 | June 30, 1970 |
| | 3,659,046 | April 5, 1972 | Angeleri et al. | 380/43 | May 13, 1969 |
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| | 3,693,090 | September 29, 1972 | Gabriel | 725/1 | August 8, 1969 |
| | 3,703,684 | November 21, 1972 | McVoy | 725/16 | June 25, 1971 |
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| EXAMINER INITIAL | PATENT NUMBER | PATENT DATE | NAME | CLASS/ SUBCLASS | FILING DATE* |
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| | 3,729,581 | April 24, 1973 | Anderson | 348/640 | September 3, 1973 |
| | 3,731,197 | May 1, 1973 | Clark | 380/36 | December 15, 1969 |
| | 3,736,369 | May 29, 1973 | Vogelman et al. | 380/228 | March 13, 1972 |
| | 3,744,043 | July 3, 1973 | Walden et al. | 340/870.7 | June 1, 1971 |
| | 3,746,780 | July 17, 1973 | Stetten et al. | 386/95 | February 25, 1971 |
| | 3,749,845 | July 31, 1973 | Fraser | 370/433 | August 27, 1971 |
| | 3,754,211 | August 21, 1973 | Rocher et al. | 714/749 | December 30, 1971 |
| | 3,755,624 | August 28, 1973 | Sekimoto | 348/495 | April 22, 1971 |
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| | 3,773,977 | November 20, 1973 | Guanella | 380/36 | June 21, 1971 |
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| | 3,798,359 | March 19, 1974 | Feistel | 380/37 | June 30, 1971 |
| | 3,798,610 | March 19, 1974 | Bliss et al. | 709/236 | December 20, 1972 |
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| | 3,824,332 | July 16, 1974 | Horowitz | 380/222 | February 18, 1972 |
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| | 3,899,633 | August 12, 1975 | Sorenson et al. | 380/207 | May 12, 1972 |
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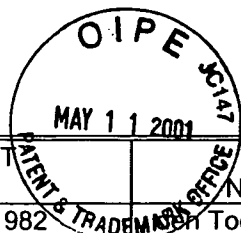


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| | 4,079,419 | March 14, 1978 | Siegle et al. | 348/732 | October 29, 1975 |
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| | 4,081,753 | March 28, 1978 | Miller | 455/158.2 | December 13, 1976 |
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| | 4,104,486 | August 1, 1978 | Martin et al. | 379/106.06 | June 29, 1976 |
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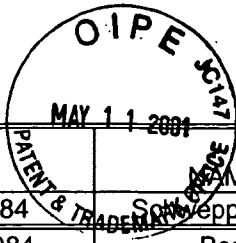
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| | 4,250,524 | February 10, 1981 | Tomizawa | 380/232 | February 22, 1979 |
| | 4,251,691 | February 17, 1981 | Kakihara et al. | 348/14.01 | December 1, 1978 |
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Serial No. 08/486,258
Docket No. 5634.0357

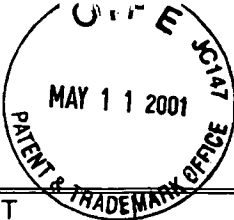
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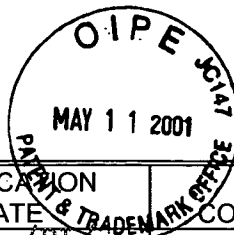
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Appendix A

A concise explanation of the relevance, as it is presently understood, of each patent, publication, or other information listed that is not in the English language. 37 C.F.R. § 1.98(a)(3).

| Reference No. | Date | Author/ Inventor | Title/Description | Explanation |
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| JP 53-121420 | "No Date" /BL/ | | Japanese Patent Laying Open Gazette | A billing system for pay TV is disclosed. |
| JP 60-149281 | "No Date" /BL/ | | Japanese Patent Laying Open Gazette | A billing system for pay TV is disclosed. |
| JP 61-267474 | "No Date" /BL/ | | Japanese Patent Laying Open Gazette | A receiver for pay broadcast is disclosed. |
| JP 61-20441 | "No Date" /BL/ | | Japanese Patent Laying Open Gazette | A broadcast system is disclosed. |
| PL 52080 | "No Date" /BL/ | Zaboklicki | Sposob Realizacji I Zestaw Urzadzen Aktywnej Telewizji | A method and apparatus for interactive television systems designed for a conversational reception of specially programmed television broadcasts. |
| DE 29 04 981 | "No Date" /BL/ | Zaboklicki | Verfahren zur Übertragung von Fernsignalen und System zur Durchführung des Verfahrens. | A method and apparatus for interactive television systems designed for a conversational reception of specially programmed television broadcasts. |
| FR 79 03351 | "No Date" /BL/ | Zaboklicki | Procede de realisation et ensemble de dispositifs formant un systeme de television interactive. | A method and apparatus for interactive television systems designed for a conversational reception of specially programmed television broadcasts. |
| | 2/1985 | | "Specification du service de classe A, TeleDiffusion de France," Antiope. | A specification of a broadcast teletext system. |
| | 6/1981 | Gautier, J.P. | "Language Telediffuse de Messagerie du Projet Ecrans Hybrides," Antiope/Didon system. | A hybrid screen teletext electronic message system. |
| | 6/1985 | Auer, R. | "Die Warteschlange Überlistet," Funkschau, pp. 53-56. | A fast video text queing system that decreases the waiting time with a broadcast videotext decoder. |
| | 6/1984 | | Kombinierer für Videotextsignal, "Runfunktechnische Mitteilungen," Jahrgang 28, (1984), | A combiner for a videotext signal that makes it possible to transfer videotext pages form several input cycles to one output cycle. |

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Appendix B

List of Applicants' related co-pending applications. 37 C.F.R. § 1.98(d).

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| 08/466,887 | U | 3,627,914 | Davies |
| 08/466,887 | U | 4,396,915 | Farnsworth et al. |
| 08/466,890 | F | 2,904,981 | Germany |
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| 08/466,890 | U | 4,422,093 | Pargee, Jr. |
| 08/466,894 | U | 3,761,888 | Flynn |
| 08/467,045 | F | GB 959,274 | Germany |
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| 08/467,045 | U | 3,627,914 | Davies |
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| 08/471,238 | U | 4,317,215 | Tabata et al. |
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| 08/483,054 | F | WO 80/02093 | Vikene |
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| 08/484,865 | F | DE 2,904,891 | Zaboklicki |
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| 08/485,282 | U | 4,455,570 | Saeki, et al. |
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| 08/486,265 | U | 4,422,093 | Pargee, Jr. |
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| 08/488,620 | U | 4,455,570 | Saeki, et al. |

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Appendix D

List of Applicants' prior applications relied upon for an earlier filing date under 35 U.S.C. 120.
37 C.F.R. § 1.98(d).

| App. No. | File Date | Patent No. | Patent Date |
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Appendix E

List of prior art not cited in Applicants' related co-pending applications but cited in Applicants' prior applications (see Appendix D) relied upon for an earlier filing date under 35 U.S.C. 120. 37 C.F.R. § 1.98(d).

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